

EXHIBIT 3

**REDACTED VERSION OF DOCUMENT
SOUGHT TO BE SEALED**

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Attorneys for Plaintiff Netlist, Inc.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

NETLIST, INC.,)	CASE NO. 4:09-CV-05718-SBA
)	
Plaintiff,)	NETLIST, INC.'S STATEMENT OF
)	RECENT DECISION PURSUANT TO
v.)	LOCAL RULE 7-3(d)(2) [REDACTED]
)	
GOOGLE LLC,)	Date: November 10, 2021
)	
Defendant.)	Time: 2:00 PM

Pursuant to Civil Local Rule 7-3(d)(2), Plaintiff Netlist, Inc. respectfully submits this Statement of Recent Decision to bring to the Court's attention the following recent decision that is relevant to Defendant's Motion to Amend Answer and Counterclaims (Dkt. 206) and Motion for Summary Judgment on the Issue of Absolute Intervening Rights (Dkt. 155): *Netlist Inc. v. Samsung Elecs. Co., Ltd.*, No. 8:20-cv-993-MCS-ADS, Dkt. 186 (C.D. Cal. Oct. 14, 2021) (granting summary judgment in Netlist's favor that a license agreement between Netlist and Samsung was terminated as of July 15, 2020). A copy of the decision is attached as Exhibit A for the Court's reference.

This decision is relevant to Google's Motion to Amend because Google's proposed pleadings allege [REDACTED]. Dkt. 205-6 (Google's Amended Answer) ¶¶ 9, 11. It is also relevant to Google's claim that its absolute intervening rights defense would resolve a substantial portion of the case, which was premised on the notion that [REDACTED] Dkt. 178-4 at 1 ("The [Motion for Summary Judgment and Motion to Strike] address threshold issues that could dispose of the *entire* case."); *id.* at 2 n.2 ("[REDACTED]").

Dated: October 26, 2021

Respectfully submitted,

IRELL & MANELLA LLP

By: /s/ Andrew Strabone

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CERTIFICATE OF SERVICE

I hereby certify that on October 26, 2021, I caused the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system, which will automatically email notification of such filing to all counsel of record who have made a formal appearance. I further certify that on October 26, 2021, the unredacted version of the foregoing was served on counsel of record who have made a formal appearance.

By: /s/ Michael Tezyan
Michael Tezyan